

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

JAVON GORDON,

Plaintiff,

-against-

THE CITY OF NEW YORK, P.O. FERNANDO GARCIA,
individually, P.O. JOHNATHAN ARIAS Shield No. 329,
individually, and John and Jane Doe Police Officers 1-10,

Defendants.

**RULE 26(f) MEETING REPORT
AND
JOINT DISCOVERY PLAN**

15-CV-6365 (ARR)(LB)

WHEREAS, the parties have conferred pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and the Court's February 2, 2016 Order, in anticipation for the Initial Pre-Trial Conference scheduled for March 10, 2016, at 2:30 p.m.;

NOW, THEREFORE, the parties respectfully submit the following proposed discovery plan pursuant to Federal Rule of Civil Procedure 26(f)(3):

- 26(f)(3)(A)** Initial disclosures will be exchanged by March 4, 2016.
- 26(f)(3)(B)** The parties require discovery in regard to the incident that forms the basis of plaintiff's claims. The parties anticipate that all discovery should be completed by September 9, 2016. The parties do not anticipate expert discovery in this matter.
- 26(f)(3)(C)** At this juncture, the parties do not anticipate conducting discovery of any electronically stored information. The parties do, however, reserve the right to seek discovery of electronically stored information if same becomes necessary during the course of this litigation.
- 26(f)(3)(D)** In the event that plaintiff seeks discovery of employment and/or disciplinary records for any police officer, or other employee of the City of New York, Defendant will seek a protective order limiting use of same. Defendant will also object to the production of any documents regarding incidents that occurred more than 10 years prior to the incident, that were not substantiated, and that did not involve allegations

of false statements or allegations of a similar nature as to those alleged in the pleadings.

26(f)(3)(E) At this time, the parties do not propose any such changes to the limitations on discovery imposed by the Federal Rules of Civil Procedure.

26(f)(3)(F) At this point, the parties do not seek a Court order under Rule 26(c) or under Rule 16(b) and (c) of the Federal Rules of Civil Procedure. It is possible, however, that defendant will seek a Rule 26(c) “attorneys eyes only” protective order for information that is private, sensitive, and/or protected by the law enforcement privilege.

Dated: New York, New York
March 8, 2016

Law Offices of Ryan Lozar, Esq.
Attorney for Plaintiff

ZACHARY W. CARTER
Corporation Counsel of the City of New York
Attorney for defendant City of New York

By: /s/
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By: _____ /s/
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SO ORDERED:

HONORABLE LOIS BLOOM
UNITED STATES MAGISTRATE JUDGE